

CITY OF MUSKEGON
MUSKEGON HOUSING BOARD OF APPEALS
MEETING MINUTES
04/07/05
5:30PM

ATTENDANCE: Randy Mackie, Greg Borgman, Nick Kroes, Jon Rolewicz,
Ed Simmons, John Warner, Clara Shepherd

ABSENT:

EXCUSED:

STAFF: Henry Faltinowski, Carmen Smith, Don LaBrenz, Anthony
Kleibecker, Kevin Stier,

GUESTS: Larry Simonson representing Gregory Mackay of Trott &
Trott PC (216 W. Grand), Bernadette Stover, Terri Michael
representing (1538 Hudson)

Meeting minutes: A motion was made by John Warner and seconded by Clara
Shepherd to approve the March minutes.

A roll call vote was taken:

AYES:
Greg Borgman
Randy Mackie
Jon Rolewicz
Nick Kroes
Clara Sheperd
Ed Simmons
John Warner

NAYES:

EXCUSED:

ABSENT:

Motion carried.

DANGEROUS BUILDING NEW CASES:

Removed from Agenda EN-040065-790 Terrace – Promised Land Assoc,
3315 Real Street, Houston, TX 77087

Removed from Agenda, Garage has been demolished
EN-050087-222 W. Southern-Garage Only – Fifth Third Mortgage LLC, 38
Fountain Square Mail Drop 109078, Cincinnati, OH 45263

EN-050089-216 W. GRAND – Countrywide Home Loans Inc, 400
Countrywide Way SV35, Simi Valley, CA 93065-6298

Larry Simonson was present to represent 216 W. Grand, substituting for Gregory Mackay of Trott & Trott PC.

Mr. Simonson stated property has been secured, insurance claim has been filed and an interior inspection is scheduled for April 11, 2005. He stated Countrywide plans to use the proceeds to rehab the property. Anthony Kleibecker stated there was a small fire at the property approximately 30 to 45 days ago and the insurance company now involved would provide funds to fix up.

Staff Recommendation: Table for 30 days pending inspections and report to board in May 2005 on status of case.

A motion was made by Randy Mackie and seconded by Clara Shepherd to accept staff recommendation.

A roll call vote was taken:

AYES:

Greg Borgman
Randy Mackie
Jon Rolewicz
Nick Kroes
Clara Sheperd
Ed Simmons
John Warner

NAYES:

EXCUSED:

ABSENT:

Motion carried.

DANGEROUS BUILDING NEW CASES:

EN-050079 – 1538 Hudson – Terri L. Michael, 2674 Fontenelle, Muskegon, MI 49441

Terri L. Michael and Bernadette Stover was present to represent this case.

Terri Michael stated the intent was for her daughter and son-in-law to fix up property and move in. Greg Borgman asked had they met with staff. Ms Michael stated her daughter had tried to pull a permit but was not allowed. Greg said it was denied because she needed to schedule an inspection. Henry Faltinowski stated an inspection was scheduled but no one showed for appointment and no one called to cancel or reschedule, a door tag was left. Mr. Faltinowski stated she needed to get trade inspectors scheduled because the only report she had was the exterior. The repairs to be done are quite extensive. Greg Borgman wanted to make sure there are not two interpretations as to what needs to be done. Nick Kroes asked how long would it take just to complete the exterior? Randy Mackie suggested that Ms Michael first needed to find out what it's going to take to bring house back it may prove to be more money than what you or anybody else would want to invest. Terri Michael mentioned there was some question about the foundation but she says after 20 years its still holding. Henry Faltinowski stated you don't want to wait for a complete collapse. Anthony Kleibecker stated because lack of action by homeowner at this date and because the police has been called on at least one occasion and home open indicating pest and rodents that staff would recommend declaring house dangerous, substandard. Clara Shepherd stated only other option is to put up good faith money of \$5,000.00. She stated cost to fix up would probably be more than cost to demolish. Nick Kroes stated Ms. Michael had stated earlier that there was an interested party in buying property and he wanted to clarify that selling property doesn't wipe things clean. Ms Micheal stated another idea was to demolish and sell lot to neighbor next door. Clara Shepherd added it was important that Ms Michael speak to staff and find out everything needed and then proceed because the board can't support the building is it now stands.

Staff Recommendation: Declare this building substandard, a public nuisance, and dangerous building.

A motion was made by Jon Rolewicz and seconded by John Warner to accept staff recommendation.

A roll call vote was taken:

AYES:

Greg Borgman
Randy Mackie
Jon Rolewicz
Nick Kroes
Clara Sheperd
Ed Simmons
John Warner

NAYES:

EXCUSED:

ABSENT:

Motion carried.

EN-050080 – 349 Mason – Lisa/John Luckhardt, 3018 Viking St, Lansing, MI 48911

No one was present to represent this case.

Anthony Kleibecker stated there has been no contact with owners, appropriate notices have been sent out and photos were shown. Mr. Kleibecker stated he had been called to the home in August 2004 with Fire Marshall regarding a situation where illegal electricity was being run. He stated he had rode by the home on April 5, 2005 and observed the home was worst than what it was in August 2004.

Staff Recommendation: Declare this building substandard, a public nuisance, and dangerous building.

A motion was made by Randy Mackie and seconded by Jon Rolewicz to accept staff recommendation.

A roll call vote was taken:

AYES:

Greg Borgman
Randy Mackie
Jon Rolewicz
Nick Kroes
Clara Sheperd
Ed Simmons
John Warner

NAYES:

EXCUSED:

ABSENT:

Motion carried.

**EN-050085 – 1376 Sanford – Marshall Redder, 3960 30th Street SW,
Grandville, MI 49418**

No one was present to represent this case.

Anthony Kleibecker stated this structure suffered severe fire damage in December 2004 and staff has been working with Mr. Redder to get the structure demolished. Mr. Redder sent a letter to the Inspections Department indicating he would not be attending the meeting but his plan is to have the structure demolished by April 30, 2005.

Staff Recommendation: Declare this building substandard, a public nuisance, and dangerous building.

A motion was made by Clara Shepherd and seconded by Nick Kroes to accept staff recommendation. A roll call vote was taken:

AYES:

Greg Borgman
Randy Mackie
Jon Rolewicz
Nick Kroes
Clara Sheperd
Ed Simmons
John Warner

NAYES:

EXCUSED:

ABSENT:

Motion carried.

**EN-050086- 227 W. Southern – Anthony Gomez, 16500 Hickory., Spring
Lake, MI 49456**

No one was present to represent this case.

Anthony Kleibecker stated electrical permit was issued on 09/13/04. Mr. Kleibecker said he had a personal conversation with Mr. Gomez late last fall regarding getting this project going, Mr. Gomez indicated he had an electrical contractor involved. The appropriate notices have been sent and we have had no owner contact since that time.

Staff Recommendation: Declare this building substandard, a public nuisance, and dangerous building.

A motion was made by Randy Mackie and seconded by Clara Shepherd to accept staff recommendation.

A roll call vote was taken:

AYES:

Greg Borgman
Randy Mackie
Jon Rolewicz
Nick Kroes
Clara Sheperd
Ed Simmons
John Warner

NAYES:

EXCUSED:

ABSENT:

Motion carried.

OLD BUSINESS:

Anthony Kleibecker stated he had an update on 523 W. Webster known as Gooden property has a buyer close to purchasing. A consent agreement had been started with the Gooden's but the specifics had not been reached with them. Mr. Gooden's attorney contacted John Schrier and asked that things remain as is and if the buyer purchases they would comply with agreement giving an extension until the end of August 2005 to complete repairs and if the purchase falls through we will send out for bids. Mr. Kleibecker stated an update on the Sieradzki property, we have entered into consent agreement where all permits must be pulled by April 2005 all work completed by May 2005. Clara Shepherd said she went to 1309 6th Street and this is fourth time this property has been rolled over with promises to fix up, we need to monitor the progress. Ms Shepherd also stated 307 Merrill the porch is collapsing and we can't allow this to sit and she also noticed at 1451 Park the building permit is not posted. Ms Shepherd reported 856 Fork was getting complaints from neighbors that property being occupied without a certificate of compliance. Don LaBrenz reported that the Fork street property was in the process of being written up as a dangerous building. Ms. Shepherd asked why 877 Emerald does not appear on the Dangerous Building list because house is open with broken windows and she also asked about 350 Allen. Ms Shepherd asked regarding status of yard maintenance letters sent to the following addresses: 1435 Park, 1478 Park, 1536 Seventh, 1095 First, 1440 Seventh and 1357 Seventh streets where she has received complaints concerning garbage. Henry Faltinowski stated he posted a stop work order on 1536 Seventh and the owners came in and pulled permits to rehab the whole house.

NEW BUSINESS:

Greg Borgman updated board on recent activities of the neighborhood association.

ADJOURNMENT: 6:15 P.M.

CITY OF MUSKEGON

**AMERICAN DISABILITY ACT POLICY FOR ACCESS TO OPEN MEETINGS OF
THE CITY COMMISSION AND ANY OF ITS COMMITTEES OR
SUBCOMMITTEES.**

The City of Muskegon will provide necessary reasonable auxiliary aids and services, such as signers for the hearing impaired and audiotapes of printed materials being considered at the meeting, upon twenty-four hours notice to the City of Muskegon. Individuals with disabilities requiring auxiliary aids or services should contact the City of Muskegon by writing or calling the following.

Gail Kunding, City Clerk
933 Terrace Street
Muskegon, MI 49443
(616) 724-6705 or TDD (616) 724-6773